

MINUTES OF THE PLANNING COMMISSION MEETING OF APRIL 19, 2006, AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

MEMBERS PRESENT: Doug Haymore, Jerri Harwell, Tom Bowen, Gordon Nicholl, Geoff Armstrong, Jim Keane

EXCUSED: JoAnn Frost, Sue Ryser, Amy Rosevear

STAFF PRESENT: Planning Manager Michael Black, Associate Planner Glenn Symes, City Attorney Shane Topham, City Engineer Brad Gilson, Deputy City Recorder Sherry McConkey

ALSO PRESENT: Lyn Nielsen, Scott Martin, Christy Cooper, Kent Thomas, Larry & Angie Eldredge, Kate Diggins, Susan Alder, Mike Flynn, Joseph Scott, Joyce Shell, David & Amy Nance, Stan Foute, Neil & Sally Rasmussen, Talor DeBry, Doug & Marty Brown, Scott & Carmen Latimer, Sherman & Pat Brough, Ross & Linda Murray, David Coyle, Roland Stundver, S. Andersen, Kent Riemonds, Cheryl Wooldridge, Anton Tonc, Rick & Kim Plautz, Brett & Kari Smitz, Bruce Evans, Monica & Jeff Haines, Claudia Wheeler, Beverly Newson, Debra & Peter Talboys, Gary Knudsen, Scott & Kaelyn Strong, Randal Haslam, Gary & Jill McGee, Nancy Walker

**1.0 PUBLIC COMMENT**

1.1 No public comment was given.

**2.0 PUBLIC HEARING – PROPOSED ZONE CHANGE – 2878 East 7800 South**

2.1 Mr. Black explained the applicant is requesting a zone change from RR-1-21 to R-1-8 on 10.131 acres of property located at 2878 East 7800 South. The proposed request is consistent with the General Plan.

2.2 Chair Bowen opened the public hearing.

2.3 Scott Martin, applicant, reviewed his request and made himself available for questions.

2.4 Mr. Gilson stated that he had received a letter from the residents which indicated a concern on the impact to the City's infrastructure and whether the City could support a development of 55 units. Mr. Gilson stated that there will be an impact on traffic due to this development however; the roads have the capacity to support a proposed single family development.

2.5 Kent Thomas, 8059 S. Danish Oaks Drive, distributed a petition that has been signed by 143 residents who are against the zone change to R-1-8 without conditions. Mr. Thomas

asked the Planning Commission to require traffic and geologic studies before a decision is made.

Mr. Black noted that traffic studies in this area were completed in May and June of 2005. The studies show that the current capacity of Creek Road is 20,000 vehicles per day and the current use 12,000 vehicles per day.

2.6 Chair Bowen closed the public hearing.

2.7 The Planning Commission discussed the differences in the R-1-8 and R-1-10 zones and decided more information would be necessary in order to make a decision.

2.8 **MOTION:** Mr. Haymore moved to continue the Public Hearing until May 17, 2006 to obtain additional information. The motion was seconded by Mr. Nicholl and passed unanimously on voice vote.

3.0 **PUBLIC HEARING – COMPATIBILITY STANDARD - PAWNSHOP**

3.1 Chair Bowen stated that this item will be continued until May 3, 2006 to gather additional information.

4.0 **PUBLIC HEARING – PROPOSED ZONE CHANGE – 7765 S. Forest Creek Lane**

4.1 Mr. Symes stated that the applicant has applied for a zone change from RR-1-43 to RR-1-21 on 1.25 acres of property located at 7765 South Forest Creek Lane. The zone change is consistent with the general plan and staff recommended approval.

4.2 Chair Bowen opened the public hearing.

4.3 Michael Nieman, applicant, spoke to the Planning Commission regarding the subject property explaining that he would like to be able to subdivide the property.

4.4 Chair Bowen closed the public hearing.

4.5 **MOTION:** Mr. Nicholl moved to approve the zone change based on staff's recommendation. The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

5.0 **PUBLIC HEARING – GENERAL PLAN AMENDMENT**

5.1 Mr. Black stated that over the last several months the Planning Commission and Staff have studied and taken public comment on the General Plan. Mr. Black reviewed the proposed changes and recommendations, as contained in the staff report dated 4-19-06.

5.2 Chair Bowen opened the public hearing.

5.3 Lynn Nielsen who owns the property at 7921 S. Highland Drive stated that the house is not conducive to be a family property and has applied for a change in the general plan from Rural Residential to Residential Office. Ms. Nielsen stated she would like to open a Reception center or a Bed and Breakfast.

Elwood Nielsen, 7921 S. Highland Drive explained that the property abuts a Sandy City pump station and would like to see this item tabled so they can have additional time to meet with Mr. Black.

5.4 Bruce Evans, 1986 E. Farm Circle, would like a noise level requirement included in the City's residential office regulations. Mr. Evans stated that if there is a reception center they would like it to show no outside music.

5.5 Scott Latimer stated that he is opposed to the Shell property being zoned Neighborhood Commercial while the rest of the area is zoned Residential Office.

Mr. Kershaw of 8052 S. Highland Drive explained that the proposed Residential Office zone is what they wanted with a few minor exceptions.

Joyce Shell of 8088 S. Highland Drive stated that the issue of noise should be addressed based on the location of the property and since her property is facing Highland Drive it should be different than the property behind her.

Anton Tonc, resides on Hunters Meadow which is behind the Shells property. Mr. Tonc would like the traffic issue addressed in whichever zone they pick for this property.

5.6 Mr. Black reiterated that the Neighborhood Commercial zone has low impact uses and more options than the Residential Office zone. The Shell property is unique in that they face Highland Drive and are surrounded by commercial developments.

5.7 Chair Bowen closed the public hearing.

5.8 **MOTION:** Mr. Haymore moved to recommend approval and forward to the City Council the proposed changes to the General Plan as recommended by staff in the staff report dated 4-19-06. The motion was seconded by Ms. Harwell and passed unanimously on voice vote.

## 6.0 **PUBLIC HEARING – BELLA VISTA ELEMENTARY**

6.1 Mr. Black explained that Jordan School District is planning to modify the site plan for Bella Vista Elementary to allow for additional office, storage and parking.

6.2 Chair Bowen opened the public hearing.

6.3 Randy Haslam, Director of New Construction at Jordan School District, gave an overview of the improvements that they will be making at Bella Vista Elementary. The improvements consist of seismic upgrades, HVAC, electrical upgrades, parking lot improvements, office space, and classrooms. The entire school will be ADA compliant and brought up to today's standards and codes. Mr. Haslam stated the project should be completed by the end of December and that the kids will probably meet at Bella Vista and be bused to and from Cottonwood Heights Elementary during the construction. Temporary fencing will be installed to keep the area safe.

6.4 Chair Bowen closed the public hearing.

6.5 **MOTION:** Ms. Harwell moved to approve the proposal by Jordan School District to amend the current site plan for Bella Vista Elementary to allow for additional office space. The motion was seconded by Mr. Armstrong and passed unanimously by voice vote.

7.0 **ACTION ITEM – COMPATIBILITY STANDARD - CARWASHES**

7.1 Mr. Black explained that Timothy Soffe has applied for a statement of compatibility for a car wash use in the CR zone. Currently, car washes are not listed as a permitted or conditional use in the CR zone. Per chapter 19.76.030 of the Cottonwood Heights municipal code, the Planning Commission shall review all requests of this nature. Staff recommended approval of this item with an amendment to 19.76.030.

7.2 Troy Saunders representing the applicant explained that they have looked at the proposed ordinance and had some believes that item c.2.d is unreasonable and should be looked at on a site by site basis as a Conditional Use.

C.2.d There shall be a minimum distance of fifty-feet (50') between any two curb cuts used for entrances and/or exits to a car wash.

Mr. Black agreed that the item should be changed to reflect a site by site basis as a Conditional Use with the Planning Commission and DRC approval.

7.3 **MOTION:** Mr. Haymore moved to approve car washes as a conditional use subject to the change in language to section 19.76.030, c.2.d regarding the minimum distance to driveways between two curbs. The motion was seconded by Mr. Nicholl and passed on a 5-1 vote with Mr. Keane voting opposed.

**8.0 ACTION ITEM – PROPOSED NEIGHBORHOOD COMMERCIAL AND RESIDENTIAL OFFICE ZONE**

8.1 Mr. Black explained that the proposed ordinances came about after several calls from neighbors in the Highland Drive area and after researching other cities staff found it necessary to write an ordinance to address possible effects of commercial uses on adjacent residential zones. Michael stated that he had researched several cities with similar issues and is now proposing the NC and RO zones to mitigate the effects of commercial development next to residential zones.

8.2 Chair Bowen stated that public hearing will be held on this item.

8.3 Scott Latimer expressed concern that convenience stores and gas stations are included in the Neighborhood Commercial zone.

8.4 Joyce Shell asked the Planning Commission for some clarification on the square footage requirements.

8.5 The Planning Commission will review the proposed ordinances and will provide feedback to Mr. Black over the next several weeks.

**9.0 MINUTES APPROVAL**

9.1 Mr. Haymore moved to approve the minutes from February 15, 2006 and March 15, 2006. The motion was seconded by Ms. Harwell and passed unanimously on voice vote.

**10.0 OTHER BUSINESS – REPORTS BY COMMISSIONERS**

10.1 No reports were given.

**11.0 PLANNING MANAGER'S REPORT**

11.1 Mr. Black gave an overview of current planning projects.

**12.0 ADJOURN**

12.1 **MOTION:** Ms. Rosevear moved to adjourn. The motion was seconded by Mr. Keane and passed unanimously on a voice vote. The Business Meeting adjourned at 8:46 p.m.

Approved: 5/17/06 sm